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U.S. DISTRICT COURT E.D.N.Y.

★ DEC 10 2020 ★

LONG ISLAND OFFICE

MRM:FAC
F. #2020R00679

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

----- X

UNITED STATES OF AMERICA

- against -

DAVID ISAGBA,

Defendant.

----- X

THE GRAND JURY CHARGES:

POSSESSION OF CHILD PORNOGRAPHY

COGAN, J

BLOOM, M.J.

1. On or about October 24, 2019, within the Eastern District of New York, the defendant DAVID ISAGBA did knowingly and intentionally possess matter containing one or more visual depictions, to wit: images depicted in digital files contained within electronic devices seized from him at John F. Kennedy International Airport in Queens, New York, in and affecting interstate and foreign commerce, and which visual depictions had been mailed, and shipped and transported using a means and facility of interstate and foreign commerce, and which were produced using materials which had been mailed, and so shipped and transported, by any means including by computer, the production of such visual depictions having involved the use of one or more minors engaging in sexually explicit conduct, and such visual depictions were of such conduct.

(Title 18, United States Code, Sections 2252(a)(4)(B), 2252(b)(2) and 3551 et seq.)

INDICTMENT

Cr. No. **CR 20 567**
(T. 18, U.S.C., §§ 2252(a)(4)(B),
2252(b)(2), 2253(a), 2253(b) and
3551 et seq.; T. 21, U.S.C., § 853(p))

CRIMINAL FORFEITURE ALLEGATION

2. The United States hereby gives notice to the defendant that, upon his conviction of the offense charged herein, the government will seek forfeiture in accordance with Title 18, United States Code, Section 2253(a), which requires the forfeiture of: (a) any visual depiction described in Section 2251, 2251A, 2252, 2252A, 2252B or 2260 of Title 18 of the United States Code, or any book, magazine, periodical, film, videotape or other matter which contains any such visual depiction, which was produced, transported, mailed, shipped or received in violation of such sections; (b) any property, real or personal, constituting, or traceable to, gross profits or other proceeds obtained from such offense; and (c) any property, real or personal, used or intended to be used to commit or to promote the commission of such offense or any property traceable to such property, including but not limited to:

- (a) one iPhone 10 max (Serial No. FK1XH3NCKPHM);
- (b) one Samsung Note 10 (Serial No. RF8M90RW93R); and
- (c) one Samsung S5 (Serial No. R2M811CK);

all of which were seized from the defendant at John F. Kennedy International Airport in Queens, New York, on or about October 24, 2019.

3. If any of the above-described forfeitable property, as a result of any act or omission of the defendant:

- (a) cannot be located upon the exercise of due diligence;
- (b) has been transferred or sold to, or deposited with, a third party;
- (c) has been placed beyond the jurisdiction of the court;
- (d) has been substantially diminished in value; or


(e) has been commingled with other property which cannot be divided without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), as incorporated by Title 18, United States Code, Section 2253(b), to seek forfeiture of any other property of the defendant up to the value of the forfeitable property described in this forfeiture allegation.

(Title 18, United States Code, Sections 2253(a) and 2253(b); Title 21, United States Code, Section 853(p))

A TRUE BILL


FOREPERSON


SETH D. DUCHARME
ACTING UNITED STATES ATTORNEY
EASTERN DISTRICT OF NEW YORK

F.#: 2020R00679
FORM DBD-34
JUN. 85

No. _____

UNITED STATES DISTRICT COURT

EASTERN *District of* NEW YORK

CRIMINAL DIVISION

THE UNITED STATES OF AMERICA

vs.

DAVID ISAGBA,

Defendant.

INDICTMENT

(T. 18, U.S.C., §§ 2252(a)(4)(B), 2252(b)(2), 2253(a), 2253(b) and
3551 et seq.; T. 21, U.S.C., § 853(p))

A true bill.

Robin Reunin

Foreperson

Filed in open court this _____ day,

of _____ A.D. 20 _____

Clerk

Bail, \$ _____

Frank A. Cavanagh, Assistant U.S. Attorney (631) 715-7832